

TOWN OF NANTUCKET ZONING BOARD OF APPEALS NANTUCKET, MA 02554

Minutes
Friday, October 19, 2007
1:00 PM
2 Fairgrounds Road
Conference Room

Board: Michael O'Mara, Dale Waine, David Wiley, Burr Tupper, Lisa Botticelli and Kerim Koseatac (Arrived at 1:10P.M.)

Staff: Leslie Woodson Snell, Thomas Broadrick, and Catherine Ancero

I. Call to Order:

Chairman Michael O'Mara called the meeting to order at 1:00 P.M.

II. Approval of the Agenda:

A motion was made to approve the agenda, duly seconded and voted 5-0.

- III. Old Business
 - **085-06** Reis 80 Miacomet Avenue Action Deadline March 28, 2008, Continued to February 8, 2008

Reade

 \mathbf{C}

Dale Waine abstained. A motion was made to continue this application, duly seconded and voted 4-0 in favor.

■ 030-07 Burnham 12½ Sherburne Turnpike Reade C

Action Deadline March 28, 2008, Continued to February 8, 2008

A motion was made to continue this application, duly seconded and voted 5-0 in favor.

047-07 Holdgate Partners Bernard Valley Road Hunter C
 Action Deadline December 28, 2007

A motion was made to continue this application, duly seconded and voted 5-0 in favor.

Action Deadline November 30, 2007

Representing: Alison Zieff. The applicant is requesting to create and operate a nonprofit recreational shooting and archery facility with three open outdoor recreational areas on the premises (pistol and rifle range, with an ancillary bathroom structure and parking area; a skeet shooting range with ancillary sheds and one trap house; and an archery range, with an ancillary storage shed with an ancillary parking area provided to serve the skeet shooting). The parcel has 560 feet of unimproved frontage on Old South Road and about 1,300 feet of unimproved frontage on Hinsdale Road.

Issues discussed:

- Restriction types
- Membership numbers
- Adequate Signs
- Type of fencing on property
- Type of courses that will be given (ex: orientation course)
- Gun Permits
- Range Safety
- Hours of Operation
- Access (secondary means of access and road improvements)
- Noise consultant
- Police Chief Bill Pittman expressed the need to use the range for the Police Department and discussed the benefits of the proposal.

A motion was made to continue this application to November 1, 2007 at 1:00 P.M., duly seconded and voted 5-0 in favor.

IV. New Business

O81-07 Rowe
 Action Deadline January 17, 2008

36 York Street

Hunter

Representing: Rick Boudette. The applicant is proposing to demolish and rebuild a single family dwelling in order to increase the interior living space also the applicant proposes to modify conditions c, d, and e in Paragraph 5 which will allow the reconstructed rear "el" to be used as an attached separate dwelling unit.

Chairman O'Mara opened the floor to the public, many abutters voiced their concerns both in favor and opposed. A motion was made to approve the proposal, duly seconded and voted 5-0 in favor.

• 087-07 Barrett

21 Somerset Road

Cohen

Action Deadline December 28, 2007

Representing: Steve Cohen and Arthur Reade. The applicant is appealing the Notice of Zoning Code violation and Order to Cease, Desist and Abate issued by the Zoning Enforcement Officer ("ZEO") that was dated June 19, 2007. The ZEO determined that a new commercial use (trucking and excavation company) exists on the premises which is within the Residential-2 (R-2) zoning district. The applicant stated that the property is grandfathered and that the property is also being used for other commercial uses such as vehicle repair and repairing, servicing, and storing buses that are used for tour and charter company business. The applicant is requesting relief by Special Permit to the Zoning

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Massachusetts

02554

Bylaw Section 139-33A (alteration, expansion of a pre-existing nonconforming use/structure) to validate any expansion or alteration on the property.

Chairman O'Mara opened the floor to the public, many abutters voiced their concerns both in favor and opposed. A motion was made to continue this application to November 1, 2007 at 2:00PM at said property for a site viewing, duly seconded and voted 5-0 in favor.

090-07 Lewis
 48 Nobadeer Farm Road
 Halstead

Action Deadline January 17, 2008

Representing: Patricia Halsted, Durvan Lewis, Maria S. Henry-Lewis. The applicant is seeking relief by Special Permit pursuant to Nantucket Zoning By-law Section 139-9B(2)(a) for light manufacturing; 139-B(2)(b) for storage and warehousing; 139-B(2)(c) for fabrication and assembly of component parts for off-site construction or use; and 139-20 waiving the loading zone requirement.

Chairman O'Mara opened the floor to the public. Many abutters voiced their concerns such as:

- Applicant needs Certificate of Water Compliance to receive Building Permit
- Will screening be placed on abutting properties and parking spaces
- Hours of Operation

A motion was made to approve this application, duly seconded and voted 5-0 in favor.

• 091-07 Rovinski 21 New Street Hanley

Action Deadline January 17, 2008

Representing: Marianne Hanley and Nathan McMullan. Mr. Wiley commented that in the past he worked with Mr. Rovinski; however, it will not be a conflict of interest. The applicant is proposing to alter the existing nonconforming dwelling through Special Permit pursuant to Zoning By-law section 139-33 for preexisting, nonconforming uses, structures, and lots.

Chairman O'Mara opened the floor to the public. No comments were made. A motion was made to approve the application, duly seconded and voted 0-5. The application was denied.

■ 092-07 DiVenere 21 Mill Street Reade
Action Deadline January 17, 2008

Representing: Arthur Reade. Dale Waine left the meeting at this time. The applicant is proposing to alter the existing nonconforming dwelling through Special Permit pursuant to Zoning By-law section 139-33 for preexisting, nonconforming uses, structures, and lots. Mickey Rowland showed ZBA plans.

Chairman O'Mara opened the floor to the public. No comments were made. A motion was made to continue this application to November 16, 2007, duly seconded and voted 5-0 in favor.

■ 093-07 Simeonov 18 New Street Beaudette

Action Deadline January 17, 2008

Representing: Rick Beaudette. A motion was made to continue this application to November 16, 2007, duly seconded and voted 5-0 in favor.

• 094-07 Fisher 7 W. Miacomet Road Guay
Action Deadline January 17, 2008

Representing: Joseph Guay and Charles Fisher. The applicant is proposing a variance pursuant to Zoning By-law section 139-16A (intensity regulations), to construct a garage.

Chairman O'Mara opened the floor to the public. No comments were made. A motion was made to approve the application with conditions as discussed, duly seconded and voted 5-0 in favor.

■ **095-07 Cooper 20 Baxter Road Thorsen** Action Deadline January 17, 2008

Representing: Marianne Hanley and Barry Cooper. The applicant is proposing to alter the existing nonconforming dwelling by Special Permit pursuant to Zoning By-law section 139-33 for preexisting, nonconforming uses, structures, and lots. Applicant is also proposing to change the existing roof so that the garage may be converted to a second dwelling.

Chairman O'Mara opened the floor to the public. No comments were made. A motion was made to approve the application with conditions as discussed, duly seconded and voted 5-0 in favor.

Mr. Waine left ZBA meeting at 3:40 P.M.

VII. Other Business

■ 031-07 Bernard 8 Jefferson Lane Reade

Technical correction of a previously endorsed decision

There was a brief discussion of the decision. A motion was made to approve the technical correction as discussed, duly seconded and voted 5-0 in favor.

VIII. Adjournment:

A motion was made to adjourn the meeting at 4:45 P.M.